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STATE OF IOWA
BOARD OF EDUCATIONAL EXAMINERS
Grimes State Office Building – 400 East 14th Street
Des Moines, Iowa 50319-0147

Minutes

Annual Board Retreat July 22-23, 2002

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1 **STATE OF IOWA**
2 **BOARD OF EDUCATIONAL EXAMINERS**
3 **Grimes State Office Building – 400 East 14th Street**
4 **Des Moines, Iowa 50319-0147**

5
6 **Motions**
7

8 Annual Board Retreat July 22-23, 2002
9
10

11 Veronica Stalker moved, with a second by Thomas Paulsen to amend the
12 business meeting agenda by adding item 2.c.4., adoption of the proposed
13 Substitute Authorization rules. **MOTION CARRIED UNANIMOUSLY.**
14

15 Jean Seeland moved, with a second by Ying Ying Chen, to accept the proposed
16 meeting dates for fiscal year 2003, with consideration at the October meeting of
17 the possibility of switching meeting dates by holding the annual two-day board
18 retreat in June and a one-day business meeting in July. **MOTION CARRIED**
19 **UNANIMOUSLY.**
20

21 Referring to the June 11, 2002, minutes, John Aboud corrected the spelling of
22 his name from “About” to “Aboud” on page 5, line 18 and page 12, line 33.
23 John Aboud moved, with a second by Thomas Paulsen, to approve the June
24 11, 2002, minutes, as amended, and the June 28, 2002, minutes, as
25 distributed. **MOTION CARRIED UNANIMOUSLY.**
26

27 Jean Seeland moved, with a second by Anita Westerhaus, to adopt and file the
28 proposed rules for the superintendent’s endorsement. **MOTION CARRIED**
29 **UNANIMOUSLY.**
30

31 Helen Lewis moved, with a second by Thomas Paulsen, to adopt and file the
32 proposed rules for the deaf or hard of hearing and visually disabled. **MOTION**
33 **CARRIED UNANIMOUSLY.**

1 Ying Ying Chen moved, with a second by Thomas Paulsen, to adopt and file the
2 proposed rules for the evaluator or administrative license. **MOTION CARRIED**
3 **UNANIMOUSLY.**

4
5 Anita Westerhaus moved, with a second by John Aboud, to adopt and file the
6 proposed rules for the substitute authorization. Roll call vote: Seeland – yes;
7 Chen – yes; Paulsen – yes; Lewis – no; Aboud – yes; Westerhaus – yes; Haigh –
8 yes; and Hathaway – yes. **MOTION CARRIED.**

9
10 Acting upon a request for reinstatement, Jean Seeland moved, with a second
11 by William Haigh, to reinstate the teaching license of Lynn Kartel. **MOTION**
12 **CARRIED UNANIMOUSLY.**

13
14 John Aboud moved, with a second by Thomas Paulsen, that in **PFW 02-11**,
15 Jeanette Kopp, the Board grant the Petition for Waiver. **MOTION CARRIED**
16 **UNANIMOUSLY.**

17
18 Thomas Paulsen moved, with a second by John Aboud, that in **PFW 02-12**,
19 Anne Grahek, the Board deny the Petition for Waiver. **MOTION CARRIED**
20 **UNANIMOUSLY.**

21
22 William Haigh moved, with a second by John Aboud, that the Board go into
23 closed session for the purposes of discussing whether to initiate licensee
24 disciplinary proceedings and discussing the decision to be rendered in a
25 contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f).
26 **MOTION CARRIED UNANIMOUSLY.**

27
28 Jean Seeland moved, with a second by Anita Westerhaus, that in **case**
29 **number 01-20**, Ogden CSD v. Cord, the Board adopt the proposed decision as
30 the final decision of the Board with the following modification:

1 The last sentence of section IV. Sanctions, on page 10, is revised to read:

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“Under these circumstances, the public interest requires the Board to revoke the Respondent’s teaching license, with no possibility of reinstatement ~~unless the Respondent satisfies the Board that he is sufficiently rehabilitated.~~

The “ORDER” provision is revised to read as follows:

IT IS THEREFORE ORDERED that teaching license number 341598 issued to James R. Cord, Jr., is **REVOKED**, with no possibility of reinstatement ~~unless he establishes, to the satisfaction of the Board, that he has obtained counseling and undergone sufficient rehabilitation to assure the Board that this type of violation would not recur, and that it is in the public interest for his license to be reinstated.~~

Roll call vote: Haigh – yes; Westerhaus – yes; Aboud – yes; Lewis – yes;

Paulsen – yes; Chen – yes; Seeland – yes; and Hathaway – yes. **MOTION**

CARRIED UNANIMOUSLY.

Anita Westerhaus moved, with a second by Helen Lewis, that in **case number**

01-33, Northwood-Kensett CSD v. Daniel C. Eveleth, the Board accept the

Respondent’s waiver of hearing and voluntary surrender and that the Board

issue an order permanently revoking the Respondent’s license with no

possibility of reinstatement. Roll call vote: Seeland – yes; Chen – yes; Paulsen

– yes; Lewis – yes; Aboud – yes; Westerhaus – yes; Haigh – yes; and Hathaway –

yes. **MOTION CARRIED UNANIMOUSLY.**

Anita Westerhaus moved, with a second by William Haigh, that in **case**

number 02-16, Council Bluffs CSD v. Douglas D. Donaldson, the Board accept

the Respondent’s waiver of hearing and voluntary surrender and that the Board

issue an order permanently revoking the Respondent’s license with no

possibility of reinstatement. Roll call vote: Haigh – yes; Westerhaus – yes;

Aboud – yes; Lewis – yes; Paulsen – yes; Chen – yes; Seeland – yes; and

Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

1 Jean Seeland moved, with a second by Ying Ying Chen, that in **case**
2 **number 02-02**, the Board extend the 180-day deadline for issuance of the final
3 decision, based upon delay in investigation due to other pending investigations.
4 Roll call vote: Seeland – yes; Chen – yes; Paulsen – yes; Lewis – yes; Aboud –
5 yes; Westerhaus – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED**
6 **UNANIMOUSLY.**

7

8 Jean Seeland moved, with a second by Ying Ying Chen, that in **case**
9 **number 02-03**, the Board extend the 180-day deadline for issuance of the final
10 decision, based upon delay in investigation due to other pending investigations.
11 Roll call vote: Seeland – yes; Chen – yes; Paulsen – yes; Lewis – yes; Aboud –
12 yes; Westerhaus – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED**
13 **UNANIMOUSLY.**

STATE OF IOWA
BOARD OF EDUCATIONAL EXAMINERS
Grimes State Office Building – 400 East 14th Street
Des Moines, Iowa 50319-0147

Minutes

Annual Board Retreat July 22-23, 2002

The Board of Educational Examiners held its annual board retreat at Sacred Heart Church Parish Center in West Des Moines, Iowa. The meeting was called to order by the Board Vice-Chair, Peter Hathaway, at 8:37 a.m. on Monday, July 22, 2002. Members attending were John Aboud, Ying Ying Chen, William Haigh, Peter Hathaway, Helen Lewis, Thomas Paulsen, Jean Seeland, Veronica Stalker and Anita Westerhaus. Also in attendance was Dr. Anne Kruse, Executive Director of the Board. Board Members Brian Carter and Judy Jeffrey were unable to attend the retreat. Dr. Veronica Stalker was unable to attend on July 23, on which date Chris Scase, Assistant Attorney General and legal counsel to the Board; Barbara Hendrickson, Board Secretary pro tem; and other visitors joined board members for the regular monthly business meeting.

Veronica Stalker moved, with a second by Thomas Paulsen to amend the business meeting agenda by adding item 2.c.4., adoption of the proposed Substitute Authorization rules. **MOTION CARRIED UNANIMOUSLY.**

Dr. Kruse reviewed with the Board the list of goals that were established at the 2001 retreat and the progress on those goals. The Board has either met or has made significant progress on each of the 10 goals that were established last fiscal year.

Dr. Kruse the reported on national issues relating to the Board's work, such as the new proposed Passport idea, which is a voluntary national certification system; the Western Governor's University status; licensure implications for the federal No Child Left Behind law; the status of independent and semi-

1 independent standards boards; and a brief overview of some occurrences in
2 selected states.

3
4 The professional staff then reported briefly on some of their responsibilities:
5 David Morgan—coaching and the new license format; Dr. Gary
6 Borlaug—technology, imaging system, and community college licensure; Jane
7 Heinsen— special education, the regents grant, orientation and mobility, and
8 the proposed rules for the visually and hearing impaired; and Geri
9 McMahon—paraeducators, child and dependent adult abuse implementation,
10 Praxis II tests, and AEA licensure renewal information.

11
12 The Board recessed for lunch at 11:45 a.m. and reconvened at 1:12 p.m.

13
14 Susan Fischer continued the professional staff presentation by discussing the
15 substitute authorization, teacher intern license, the Leadership/Partnership
16 Committee, the evaluator license update, and the status of out-of-country and
17 out-of-state license applications.

18
19 The Board discussed various issues and decided to prioritize its work for the
20 remainder of the day. A decision was made to discuss the experience rubric
21 and the proposal for a revised administrator's license. Susan Fischer joined
22 the Board for those discussions.

23
24 The Board recessed for the day at 4:20 p.m. and reconvened at 8:35 a.m. on
25 Tuesday, July 23, 2002.

26
27 The Board continued to discuss various items to establish goals for the year,
28 such as technology, communication to include the Board's newsletter, and pre-
29 filed bills.

30
31 The Board recessed for lunch at 11:20 a.m.

1 The formal business meeting was called to order by the Board Vice-Chair, Peter
2 Hathaway, at 12:35 p.m. Members attending were John Aboud, Ying Ying
3 Chen, William Haigh, Peter Hathaway, Helen Lewis, Thomas Paulsen, Jean
4 Seeland, and Anita Westerhaus. Also in attendance were Dr. Anne Kruse,
5 Executive Director of the Board; Chris Scase, Assistant Attorney General and
6 legal counsel to the Board; Barbara Hendrickson, Board Secretary pro tem; and
7 other visitors. Board Member Dr. Veronica Stalker was unable to attend, as
8 were Board Members Brian Carter and Judy Jeffrey, who were also unable to
9 attend the previous day.

10
11 Board Vice-Chair Peter Hathaway asked if there were any Board Reports.
12 There were none.

13
14 Board Vice-Chair Peter Hathaway asked if there were any public comments.
15 There were none.

16
17 The Board agreed upon the following meeting dates for fiscal year 2003:
18 September 6, October 11, November 7 (possibly at a college), and December
19 13, 2002, and January 17 (possibly in conjunction with the State Board of
20 Education), March 7, April 11, May 16, and June 13, 2003. At the October
21 meeting, the Board will consider whether it will change the annual two-day
22 July retreat to June 12-13, 2003 and hold a one-day meeting in July, instead.
23 Jean Seeland moved, with a second by Ying Ying Chen, to accept the proposed
24 meeting dates for fiscal year 2003, with consideration at the October meeting of
25 the possibility of switching meeting dates and holding the annual two-day
26 board retreat in June and a one-day business meeting in July. **MOTION**
27 **CARRIED UNANIMOUSLY.**

28
29 Referring to the June 11, 2002, minutes, John Aboud corrected the spelling of
30 his name from "About" to "Aboud" on page 5, line 18 and page 12, line 33.
31 John Aboud moved, with a second by Thomas Paulsen, to approve the June
32 11, 2002, minutes, as amended, and the June 28, 2002, minutes, as
33 distributed. **MOTION CARRIED UNANIMOUSLY.**

1 The Board proposed action to reduce the number of years and to augment the
2 types of experience that qualify for the superintendent's endorsement. This
3 paralleled prior modification of the elementary and secondary principal
4 endorsements. No one attended the hearing, and no written comments were
5 received. Jean Seeland moved, with a second by Anita Westerhaus, to adopt
6 and file the proposed rules for the superintendent's endorsement. **MOTION**
7 **CARRIED UNANIMOUSLY.**

8
9 Proposed changes to special education administrative rules terminated
10 instructional endorsements for teachers of the hearing impaired and visually
11 impaired and provided new competency-based endorsements for instructional
12 purposes. Professional organizations supported the new rules. The
13 Administrative Code Editor's excision of the hyphens in all instances of "hard-
14 of-hearing" was the only textual revision. Helen Lewis moved, with a second by
15 Thomas Paulsen, to adopt and file the proposed rules for the deaf or hard of
16 hearing and visually disabled. **MOTION CARRIED UNANIMOUSLY.**

17
18 Proposed amendments to the evaluator or administrative license clarified the
19 fee structure for the issuance or renewal of said licenses and established a one-
20 year conditional administrative license. The implementation of a graduated fee
21 aimed to give applicants the best advantage for their money and the term of
22 their evaluator license; the one-year conditional administrative license will
23 sunset January 1, 2005. Ying Ying Chen moved, with a second by Thomas
24 Paulsen, to adopt and file the proposed rules for the evaluator or
25 administrative license. **MOTION CARRIED UNANIMOUSLY.**

26
27 The Board weighed the requirements for a new rule, a substitute authorization.
28 Only an observer from AEA 4 staff development attended the ICN hearing. The
29 Executive Director thereafter e-mailed superintendents and AEAs, directing
30 them to the Internet site. She received oral comments from professional
31 organizations and nine supportive e-mail responses from administrators. She
32 explained the reasons for the authorization to the one administrator who had
33 sent a non-supportive e-mail (he thought this plan a lowering of the standards),

1 and he then comprehended the issue. The AEAs already offer a substitute
2 workshop for people who want to substitute. Although approved child and
3 dependent abuse training is now available on-line, this rule still permits
4 waivers, since those are written in statute. The requirement for yearly renewal
5 enables the Board to monitor personnel and practices for the new
6 authorization. Anita Westerhaus moved, with a second by John Aboud, to
7 adopt and file the proposed rules for the substitute authorization. Roll call
8 vote: Seeland – yes; Chen – yes; Paulsen – yes; Lewis – no; Aboud – yes;
9 Westerhaus – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED.**

10
11 Due to a contract violation, the Board licenses issued to Lynn Kartel were
12 suspended on September 20, 2000, for a period of one year from the date of the
13 Board Order (**case number 99-21**). Acting upon a request for reinstatement in
14 an April 9, 2002, letter from Ms. Kartel, Jean Seeland moved, with a second by
15 William Haigh, to reinstate the teaching license of Lynn Kartel. **MOTION**
16 **CARRIED UNANIMOUSLY.**

17
18 Jeanette Kopp petitioned for a waiver of the requirement for three years of
19 teaching experience at the early childhood through grade six level prior to
20 issuance of an elementary principal endorsement. She completed many years
21 of employment in positions that required elementary classroom teaching, but
22 she was mistaken in her belief that she was authorized at the time to perform
23 those functions. John Aboud moved, with a second by Thomas Paulsen, that
24 in **PFW 02-11**, Jeanette Kopp, the Board grant the Petition for Waiver.

25 **MOTION CARRIED UNANIMOUSLY.**

26
27 Anne Grahek requested a waiver from the student teaching requirement for
28 issuance of a K-6 elementary special education endorsement. With her current
29 educational background and license, Ms. Grahek would be eligible to obtain a
30 conditional license in K-6 special education, if she applied with a request from a
31 local school district and with the other necessary documentation. If a
32 conditional license were issued, Ms. Grahek might complete her student
33 teaching/practicum while on the job in the classroom. Thomas Paulsen moved,

1 with a second by John Aboud, that in **PFW 02-12**, Anne Grahek, the Board deny
2 the Petition for Waiver. **MOTION CARRIED UNANIMOUSLY.**

3
4 William Haigh moved, with a second by John Aboud, that the Board go into
5 closed session for the purposes of discussing whether to initiate licensee
6 disciplinary proceedings and discussing the decision to be rendered in a
7 contested case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f).
8 **MOTION CARRIED UNANIMOUSLY.**

9
10 The Board reconvened into open session at 1:40 p.m.

11
12 Jean Seeland moved, with a second by Anita Westerhaus, that in **case**
13 **number 01-20**, Ogden CSD v. Cord, the Board adopt the proposed decision as
14 the final decision of the Board with the following modification:

15
16 The last sentence of section IV. Sanctions, on page 10, is revised to read:

17
18 “Under these circumstances, the public interest requires the Board to
19 revoke the Respondent’s teaching license, with no possibility of
20 reinstatement ~~unless the Respondent satisfies the Board that he is~~
21 ~~sufficiently rehabilitated.~~

22
23 The “ORDER” provision is revised to read as follows:

24
25 **IT IS THEREFORE ORDERED** that teaching license
26 number 341598 issued to James R. Cord, Jr., is **REVOKED**, with
27 no possibility of reinstatement ~~unless he establishes, to the~~
28 ~~satisfaction of the Board, that he has obtained counseling and~~
29 ~~undergone sufficient rehabilitation to assure the Board that this type~~
30 ~~of violation would not recur, and that it is in the public interest for~~
31 ~~his license to be reinstated.~~

32
33 Roll call vote: Haigh – yes; Westerhaus – yes; Aboud – yes; Lewis – yes;
34 Paulsen – yes; Chen – yes; Seeland – yes; and Hathaway – yes. **MOTION**
35 **CARRIED UNANIMOUSLY.**

1 Anita Westerhaus moved, with a second by Helen Lewis, that in **case number**
2 **01-33**, Northwood-Kensett CSD v. Daniel C. Eveleth, the Board accept the
3

1 Respondent's waiver of hearing and voluntary surrender and that the Board
2 issue an order permanently revoking the Respondent's license with no
3 possibility of reinstatement. Roll call vote: Seeland – yes; Chen – yes; Paulsen
4 – yes; Lewis – yes; Aboud – yes; Westerhaus – yes; Haigh – yes; and Hathaway –
5 yes. **MOTION CARRIED UNANIMOUSLY.**

6
7 Anita Westerhaus moved, with a second by William Haigh, that in **case**
8 **number 02-16**, Council Bluffs CSD v. Douglas D. Donaldson, the Board accept
9 the Respondent's waiver of hearing and voluntary surrender and that the Board
10 issue an order permanently revoking the Respondent's license with no
11 possibility of reinstatement. Roll call vote: Haigh – yes; Westerhaus – yes;
12 Aboud – yes; Lewis – yes; Paulsen – yes; Chen – yes; Seeland – yes; and
13 Hathaway – yes. **MOTION CARRIED UNANIMOUSLY.**

14
15 Jean Seeland moved, with a second by Ying Ying Chen, that in **case**
16 **number 02-02**, the Board extend the 180-day deadline for issuance of the final
17 decision, based upon delay in investigation due to other pending investigations.
18 Roll call vote: Seeland – yes; Chen – yes; Paulsen – yes; Lewis – yes; Aboud –
19 yes; Westerhaus – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED**
20 **UNANIMOUSLY.**

21
22 Jean Seeland moved, with a second by Ying Ying Chen, that in **case**
23 **number 02-03**, the Board extend the 180-day deadline for issuance of the final
24 decision, based upon delay in investigation due to other pending investigations.
25 Roll call vote: Seeland – yes; Chen – yes; Paulsen – yes; Lewis – yes; Aboud –
26 yes; Westerhaus – yes; Haigh – yes; and Hathaway – yes. **MOTION CARRIED**
27 **UNANIMOUSLY.**

28
29 The Board summarized issues of communication and technology that had been
30 discussed that morning at the retreat, particularly the newsletter and website,
31 and made a request for samples at the next board meeting.

32
33 There being no further business, Board Vice-Chair Peter Hathaway

1 adjourned the meeting at 2:12 p.m.